

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES STRATENBERGER and WILMA
STRATENBERGER, husband and wife,

Plaintiffs,

vs.

PRIME THERAPEUTICS, LLC, a Delaware
corporation,

Defendant.

USDC Case No. 2:07-cv-10884
HON. ROBERT H. CLELAND
Referral Judge: Mona K. Majzoub

Oakland County Circuit Court
No. 07-080330-NO
HON. FRED M. MESTER

DAVID W. CHRISTENSEN P11863
MARY PAT ROSEN P34992
SANDRA J. RENARD P57109
Attorneys for Plaintiffs
5510 Woodward Avenue
Detroit, Michigan 48202
313.875.8080

KARL E. HANNUM P37652
MICHELLE T. AIELLO P55407
Attorneys for Defendant
24445 Northwestern, Suite 200
Southfield, Michigan 48075
248.352.2555

STIPULATED QUALIFIED HIPAA PROTECTIVE ORDER

At a session of said court held in the United
States District Court Eastern District of
Michigan Southern Division, City of
Detroit, State of Michigan on June 6, 2007.

PRESENT: THE HONORABLE : ROBERT H. CLELAND
Honorable Robert H. Cleland

This matter having come to be heard by stipulation of the parties for entry of a qualified
protective order, do notice hereof having been given, and the court being fully advised in the
premises:

IT IS HEREBY ORDERED as follows:

(1) The parties to this action and their attorneys and any future parties (and their attorneys) to the above captioned matter are hereby authorized to receive, subpoena, and transmit “protected health information” (also referred to herein as “PHI”) pertaining to **James Stratenberger**, to the extent and subject to the conditions outlined herein.

(2) For the purposes of this qualified protective order, PHI shall have the same scope and definition as set forth in 45 C.F.R. §§ 160.103 and 160.501. PHI includes, but is not limited to, health information, including demographic information, relating to either, (a) the past, present or future physical or mental condition of an individual, (b) the provision of care to an individual, or (c) the payment for care provided to an individual, which identifies the individual or which reasonably could be expected to identify the individual.

(3) All “covered entities” (as defined by 45 C.F.R. § 160.103) are hereby authorized to disclose either in writing or orally PHI pertaining to James Stratenberger to all attorneys of record in this matter or who may become of record in the future to this litigation.

(4) The parties and their attorneys shall be permitted to use the PHI of **James Stratenberger** in any manner that is reasonably connected with the above captioned litigation. This includes, but is not limited to, disclosure to the parties, their attorneys of record, the attorney’s firm, the parties’ insurers, experts, consultants, court personnel, court reporters, copy services, trial consultants, jurors, and other entities involved in the litigation process.

(5) At the conclusion of the litigation as to any defendant, which shall be defined as the point at which final orders disposing of the entire case as to any defendant have been entered, or the time at which all trial and appellate proceedings have been exhausted as to any defendant, that defendant and any person or entity in possession of PHI received from that

defendant pursuant to paragraph 4 of this order shall destroy any and all copies of PHI pertaining to **James Stratenberger** except: (1) the defendant is no longer in the litigation may retain PHI generated by him/her/it; and (2) the remaining defendants in the litigation, and persons or entities receiving PHI from those defendants pursuant to paragraph 4 of this order, may retain PHI in their possession.

(6) This order further authorizes any third-party who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose PHI in response to such request or subpoena.

(7) It is further ordered that the parties are prohibited from using or disclosing any information obtained pursuant to this order for any purpose other than this action.

s/Robert H. Cleland

United States District Judge Robert H. Cleland

Approved as to Form:

SCHWARTZ, JALKANEN & HANNUM, P.C.

By /s Michelle T. Aiello

KARL E. HANNUM P37652
MICHELLE T. AIELLO P55407
Attorneys for Defendant
24445 Northwestern Highway, Suite 200
Southfield, Michigan 48075
khannum@sjpclaw.com
maiello@sjpclaw.com
248.352.2555

CHARFOOS & CHRISTENSEN, P.C.

By /s with consent David W. Christensen

DAVID W. CHRISTENSEN P11863
Attorney for Plaintiffs
5510 Woodward Avenue
Detroit, Michigan 48202
313.875.8080

